

COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

**RULE 132 DECLARATION BY ARTHUR M. BAILEY**

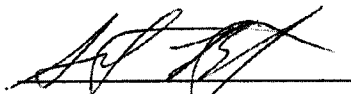
I, Arthur Bailey, hereby declare as follows

1. I understand that the claims of the referenced application, U.S. Patent Application No. 09/800,273, have been rejected, at least in part, in view of Bailey, U.S. Patent No. 5,399,132. I am the inventor of the Bailey patent. I understand that the patent examiner contends that the trampoline net enclosure described in the Bailey patent is substantially the same as the enclosure in the referenced application. They are not. In my opinion, the products made as described in the Bailey patent are different from those described and claimed in the present application. By original design and intent, the enclosure in the Bailey patent, and every prototype, enclosure that I made for sale, construction drawings/specifications, and manuals that I produced included only inverted U-shaped panel or pole assemblies with a height at or above 8.5 feet above the jumping surface. This is a clear contrast to the shorter poles claimed by the present application.

2. The Bailey patent teaches a minimum panel or pole assembly height of at least 8.5 feet. Any prototype and products I produced were made with the panel or pole assemblies at or above 8.5 feet. The first enclosure I ever saw with poles shorter than 8.5 feet in height was the Publicover enclosure, at 6 feet above the jump surface. I strongly believed, at that time, the Publicover poles were too short and risked having a jumper land down on them from above and injure themselves or could allow a jumper to accidentally bounce over the poles onto the ground.

3. All statements made herein and of my own knowledge are true and all statements made on information are believed to be true. Further, these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that any such willful false statements made may jeopardize the validity of Mr. Publicover's application or any patent issuing thereon.

Respectfully

  
Arthur Bailey

Date: 3-31-11